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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
PAULA, CESAR B	

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/523,811	CARRO, FERNANDO INCERTIS	
	Examiner	Art Unit	
	CESAR B. PAULA	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 December 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16 and 18-32* is/are rejected.

7)☒ Claim(s) *17* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the amendment filed on 12/8/2004.

This action is made Final.

2. In the amendment, claims 1-32 are pending in the case. Claims 1-6, 8, 19-20, and 30-32 are independent claims.

3. The rejections of claims 8-12, 21, 23, 25, 27, and 29-32 rejected under 35 U.S.C. 102(e) as being anticipated over Musk et al, hereinafter Musk (Pat. # 6,148,260, 11/14/2000, continuation filed on 11/8/1996), have been withdrawn as necessitated by the amendment.

4. The rejections of claims 22, 24, 26, and 28 rejected under 35 U.S.C. 103(a) as being unpatentable over Musk, in view of Nagai (Pat. # 6,138,072, 10/24/2000, filed on 4/22/2000), have been withdrawn as necessitated by the amendment.

5. The rejections of claims 13-16, and 18-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Musk, in view of Narayanaswami (Pat. # 6,504,571 B1, 1/7/2003, filed on 5/18/1998), have been withdrawn as necessitated by the amendment.

6. The rejections of claims 22, 24, 26, and 28 rejected under 35 U.S.C. 103(a) as being unpatentable over Musk, in view of Narayanaswami, and further in view of Nagai (Pat. #

6,138,072, 10/24/2000, filed on 4/22/2000), have been withdrawn as necessitated by the amendment.

Priority

7. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d), and based on application # 994800712 filed in Europe on 7/29/1999, which papers have been placed of record in the file.

Drawings

8. The drawings filed on 3/13/2000 have been approved by the draftsperson.

Specification

9. Appropriate corrections have been made to the abstract. Therefore, its objection has been withdrawn.

Claim Rejections - 35 USC § 112

10. Appropriate corrections have been made to claims 18, 26, and 28. Therefore, their objections have been withdrawn.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 1-7 remain rejected under 35 U.S.C. 102(e) as being anticipated over Musk et al, hereinafter Musk (Pat. # 6,148,260, 11/14/2000, continuation filed on 11/8/1996).

Regarding independent claim 1, Musk discloses the transmission of a map from a server to a user as a result of a search request by the user to the server. The map is encoded by the server, using five words of 32 bits, with latitude and longitude—*geographic coordinates of the one or more geographical locations described or referenced in the document*-- related to a location on the map (col. 1, lines 30-57, col.2, lines 45-67, and col.3, lines 27-45).

Moreover, Musk teaches the use of the latitude and longitude information—*determining geographic coordinates*, and encoding a location in the map with the information using the bits (col. 3, lines 37-67).

Moreover, Musk teaches the encoding of lines of text with the latitude and longitude along with a desired location into the pixels of a map graphical image to pinpoint a location

where an icon can be displayed-- *tagging said map document with said geographic address* (col. 3, lines 27-45).

Regarding claim 2, which depends on claim 1, Musk teaches the encoding of lines of text with the latitude and longitude along with a desired location into the pixels of a map graphical image to pinpoint a location where an icon can be displayed-- *tagging said document with one or a plurality of geographic attributes* (col. 3, lines 27-45).

Regarding claim 3, which depends on claims 1 or 2, Musk teaches the encoding of lines of text with the latitude and longitude—*cartographic coordinates*-- along with a desired location into the pixels of a map graphical image to pinpoint a location where an icon can be displayed (col. 3, lines 27-45).

Regarding claim 4, which depends on claims 1 or 2 , Musk teaches the encoding of lines of text with the latitude and longitude—*bi-dimensional and expressed in term of longitude and latitude* -- along with a desired location into the pixels of a map graphical image to pinpoint a location where an icon can be displayed (col. 3, lines 27-45).

Claim 5 is directed towards a method for performing the steps found in claim 4, (where the latitude and longitude are well known terms of art) and therefore is similarly rejected.

Claim 6 is directed towards a server system for implementing the steps found in claim 1, and therefore is similarly rejected.

Claim 7 is directed towards a computer-readable medium for storing instructions for performing the steps found in claim 1, and therefore is similarly rejected.

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

14. Claims 8-16, 18-21, 23, 25, 27, and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Musk, in view of Mills (Pat. # 6,466,940 B1, 10/15/2002, filed on 2/11/1998).

Regarding independent claim 8, Musk teaches a user for contacting a server, which encodes of lines of text with the latitude and longitude within a number of bits-- *a tag including a geographic address*-- which start with two bits key—*tag identifier*- indicating the color of a text to be displayed in association with a location in a map (col. 1, lines 30-57, col.2, lines 45-67, and col. 3, lines 27-45). Musk fails to explicitly disclose: *said tag identifies the tag as a geographical tag to enable geographic search capability of the tag.* However, Mills teaches the retrieval of map images using parameters, such as a latitude/longitude, from a server -- *enable*

geographic search capability of the tag-- (col.18, lines 46-50, col.22, lines 36-47). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combine Musk and Mills and search for documents tagged with geographic attributes, because Mills discloses the benefit of using parameters to perform a well-focused search (col.22, lines 48-54). This would have facilitated search of resources, such as electricians, in a more efficient, and accurate manner, using geographical parameters, such as latitude/longitude.

Regarding claim independent claim 9, Musk teaches a user for contacting a server, which encodes of lines of text with the latitude and longitude within a number of bits—*a tag including a geographic address comprising encoded geographic coordinates described in the document*-- which start with two bits key indicating the color of a text of a map location-- *one or a plurality of geographic attributes related to the geographic location described or referenced in the document* -- to be displayed in association with a location in a map (col. 1, lines 30-57, col.2, lines 45-67, and col. 3, lines 27-45). Musk fails to explicitly disclose: *to enable geographic search capability of both the geographic location and the geographic attributes*. However, Mills teaches the retrieval of an HTML web page map using parameters, such as a latitude/longitude, radius, miles, etc, from a server (col.18, lines 46-53, col.22, lines 4-7, 36-47). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combine Musk and Mills and search for documents tagged with geographic attributes, because Mills discloses the benefit of using parameters to perform a well-focused search (col.22, lines 48-54). This would have facilitated search of resources, such as electricians, in a more efficient, and accurate manner, using geographical parameters, such as latitude/longitude.

Regarding claim 10, which depends on either of claims 8 to 9, Musk discloses the definition of an area on a map and encoding of text specifying latitude/longitude along with a position in a retrieved map associated with the position the retrieval of the map, by a user from a server over the Internet (col.2, lines 26-67, col. 3, lines 21-49, and col. 4, lines 8-24, 48-67). Musk fails to explicitly teach *said document is an HTML document.* However, Mills teaches the retrieval of an HTML web page map using parameters, such as a latitude/longitude, from a server (col.18, lines 46-50, col.22, lines 36-47). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combine Musk and Mills and search for documents tagged with geographic attributes, because Mills discloses the benefit of using parameters to perform a well-focused search (col.22, lines 48-54). This would have facilitated search of resources, such as electricians, in a more efficient, and accurate manner, using geographical parameters, such as latitude/longitude.

Claim 11 is directed towards a method for performing the steps found in claim 4, and therefore is similarly rejected.

Claim 12 is directed towards a document equivalent to the document found in claim 4, (where the latitude and longitude are well known terms of art) and therefore is similarly rejected.

Regarding claim 13, which depends on claims 8 or 9, Musk discloses the definition of an area on a map, and encoding of text specifying latitude/longitude along with a position in a

retrieved map associated with the position—*specifying a reference point, determining geographic coordinates*, and *encoding said geographic coordinates in a geographic address*. A user obtains the map from providers or servers (col.2, lines 30-34, 52-67, col. 3, lines 27-45, and col. 4, lines 11-18, 53-67). Musk fails to explicitly disclose: *searching on the plurality of server systems for documents tagged with said geographic address*. However, Mills teaches the retrieval of map images using parameters, such as a latitude/longitude, from a server (col.18, lines 46-50, col.22, lines 36-47). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combine Musk and Mills and search for documents tagged with geographic attributes, because Mills discloses the benefit of using parameters to perform a well-focused search (col.22, lines 48-54). This would have facilitated search of resources, such as electricians, in a more efficient, and accurate manner, using geographical parameters, such as latitude/longitude.

Regarding claim 14, which depends on claim 13, Musk discloses the encoding of text specifying latitude/longitude along with a position in the map—*specifying one or a plurality of geographic attributes*. A user obtains the map from providers or servers (col.2, lines 30-34, 52-67, col. 3, lines 27-45, and col. 4, lines 11-18, 53-67). Musk fails to explicitly disclose: *searching on the plurality of server systems for documents tagged with said geographic address*. However, Mills teaches the retrieval of map images using parameters, such as a latitude/longitude, from a server (col.18, lines 46-50, col.22, lines 36-47). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combine Musk and Mills and search for documents tagged with geographic attributes, because Mills discloses

the benefit of using parameters to perform a well-focused search (col.22, lines 48-54). This would have facilitated search of resources, such as electricians, in a more efficient, and accurate manner, using geographical parameters, such as latitude/longitude.

Regarding claim 15, which depends on claim 13, Musk discloses the definition of an area on a map, and encoding of text specifying latitude/longitude (in bits encoding) along with a position in the map—*specifying a geographic area around the reference point, determining geographic coordinates*, and *encoding said geographic coordinates in a fuzzy geographic address*. A user obtains the map from providers or servers (col. 3, lines 27-45, and col. 4, lines 11-18, 53-67). Musk fails to explicitly disclose: *searching on the plurality of server systems for documents tagged with a geographic address corresponding to a geographic location*. However, However, Mills teaches the retrieval of map images using parameters, such as a latitude/longitude, from a server (col.18, lines 46-50, col.22, lines 36-47). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combine Musk and Mills and search for documents tagged with geographic attributes, because Mills discloses the benefit of using parameters to perform a well-focused search (col.22, lines 48-54). This would have facilitated search of resources, such as electricians, in a more efficient, and accurate manner, using geographical parameters, such as latitude/longitude.

Claim 16 is directed towards a method for performing the steps found in claim 5, and therefore is similarly rejected.

Regarding claim 18, which depends on claim 13, Musk discloses the definition of an area on a map and encoding of text specifying latitude/longitude along with a position in a retrieved map associated with the position—*specifying a reference point once for all* the retrieval of the map (col.2, lines 30-44, 52-67, col. 3, lines 27-45, and col. 4, lines 11-18, 53-67).

Furthermore, Musk teaches the determination of a route from an address to a user desired area or location using vectors, and overlaying a route on a map using latitude and longitude—*measuring the actual position of the client* in respect to another location-- (col. 3, lines 7-14, 58-col.4, lines 17).

Claim 19 is directed towards a system for performing the steps found in claim 13, and therefore is similarly rejected.

Claim 20 is directed towards a computer-readable medium for performing the steps found in claim 13, and therefore is similarly rejected.

Regarding claim 21, which depends on claims 8 or 9, Musk discloses the transmission of a map from a server to a user as a result of a search request by the user to the server. The map is encoded with text by the server, using five words of 32 bits, with latitude and longitude—*mapping the geographic location according to said absolute geographic coordinates* -- related to a location on the map (col. 1, lines 30-57, col.2, lines 45-67, and col.3, lines 27-45). In other words, the encoded coordinates are retrieved from the encoded information *–retrieving absolute coordinates from tag*--and displayed along with an icon at a location in the map.

Regarding claim 23, which depends on claim 21, Musk teaches describing a set of vector points using latitude/longitude—*defining a scale according to the absolute geographic coordinates* (col.4, lines 3-11).

Regarding claim 25, which depends on claim 13, Musk discloses the map is encoded with text by the server, using five words of 32 bits, with latitude and longitude and a desired location on the map (col. 1, lines 30-57, col.2, lines 45-67, and col.3, lines 27-45)—*mapping*-- representing an address on the map—*referencing point* (col. 3, lines 37-67, fig.2-3).

Regarding claim 27, which depends on claim 21, Musk discloses a computer with a processing unit—*pointing device*—allowing a user to click on an icon and get directions to a restaurant or business in a map format. In response to the clicking, a web page is retrieved, and generated having the name-- *a title*-- of the restaurant, the address-- *a short description of the geographic location*, and latitude/longitude encoded in the map-- *geographic coordinates of said geographic location* (fig. 2, col.2, lines 50-67, and col.3, lines 27-45).

Regarding claim 29, which depends on claim 21, Musk teaches the retrieval of the map from a server website *retrieving a geographic map from one or a plurality of server systems.* (col.2, lines 53-67).

Claim 30 is directed towards a system for performing the steps found in claim 21, and therefore is similarly rejected.

Claim 31 is directed towards a computer-readable medium for performing the steps found in claim 21, and therefore is similarly rejected.

Claim 32 is directed towards a method for performing the steps found in claim 1, and therefore is similarly rejected.

15. Claims 10, 22, 24, 26, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Musk, in view of Mills, and further in view of Nagai (Pat. # 6,138,072, 10/24/2000, filed on 4/22/2000).

Regarding claim 22, which depends on claim 21, Musk discloses the definition of an area on a map and encoding of text specifying latitude/longitude along with a position in a retrieved map associated with the position the retrieval of the map (col.2, lines 26-67, col. 3, lines 21-49, and col. 4, lines 8-24, 48-67). Musk fails to explicitly teach *associating in a table in the client system, network address and the retrieved absolute geographic coordinates.* However, Nagai discloses a table for the display and storage of URLs—*network address*-- in association with latitude and longitude related to home pages providing objects guide information (col.2, lines 1-4, col. 7, lines 1-8, and fig.7). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combine Musk and Nagai, and display the table, because Nagai discloses the benefit of easily obtaining guide information on a desired object on a map (col.1, lines 50-67).

Regarding claim 24, which depends on claim 21, Musk teaches the display of a map location and a related icon (col.3, lines 38-58, and fig.2). Musk fails to explicitly teach *pointing to the retrieved absolute geographic coordinates and the network address.* However, Nagai teaches that when a user makes a selection of the object graphical representation—*icon*--, such as "Company X", located at position on a map displayed on a screen, a URL, associated with—*pointed to by*-- the object's representation, and having the latitude and longitude, and a network address—http://www.honda.service.cp.jp-- of the object. After the user has selected the object's representation, the URL is retrieved, and transmitted for the retrieval of that object's web page (col. 6, lines 54-67, fig.2-3).). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combine Musk and Nagai, because Nagai discloses the benefit of easily obtaining guide information on a desired object on a map (col.1, lines 50-67).

Regarding claim 26, which depends on claim 21, Musk fails to explicitly teach *pointing to the retrieved absolute geographic coordinates and the network address.* Nagai discloses a processing unit—*pointing device* for the positioning of a cursor on a display screen for the selection of or *pointing to* the object's graphical representation, such as "Company X", located at position on a map displayed on the screen. The user selects the object's representation for the retrieval of the object's web page (col. 6, lines 54-67, col. 7, lines 1-16, fig.2-3). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combine

Musk and Nagai, because Nagai discloses the benefit of easily obtaining guide information on a desired object on a map (col.1, lines 50-67).

Regarding claim 28, which depends on claim 24, Musk teaches the display of a map location and a related icon (col.3, lines 38-58, and fig.2).

Allowable Subject Matter

19. Claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

16. Applicant's arguments filed 12/8/2004 have been fully considered but they are not persuasive. Regarding claim 1, Applicant notes that there is no teaching of the determination of geographic coordinates of the one or more geographic locations (page 12, lines 16-21). The Examiner disagrees, because Musk teaches the use of the latitude and longitude information—*determining geographic coordinates*, and encoding a location in the map with the information using the bits, as claimed—*tagging the* map document *with the coordinates* (col. 3, lines 27-67). It is unclear, what Applicant means by "the map doesn't even exist when musk searches the business directory" (page 12, lines 18-19), since Musk teaches the determination of the geographic coordinates related to a location in a map as claimed by Applicant.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "text is not determined from geographic locations described in the map" page 14, lines 15-16) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The Applicant seems to imply that Musk does not teach this limitation found in claim 1. Claim 1 expressly recites a step of determining geographic coordinates of the one or more geographic locations described or referenced in the document. This is not the same as determining text from geographic locations in the document.

Claims 2-7 are rejected at least based upon their dependency on claim 1.

Regarding claim 8, Applicant states that the newly added limitations are not anticipated by Musk (page 16, lines 8-16). The Applicant is directed towards the rejection of this claim as necessitated by the amendment.

Regarding claim 10, Applicant states that every single element has not been provided for in a single reference (page 17, lines 14-16). The Applicant is directed towards the rejection of this claim in light of the amendment to claims 8-9, and applied prior art above.

Claims 11-12 are rejected at least based upon their dependency on claim 1 above.

Regarding claims 13-16, 18-20, Applicant states that the Nayaraswami reference is disqualified, because it was subject to common ownership by IBM (owner of this invention as well) (page 18, lines 26-page 19, line 2). The Applicant is directed towards the rejection of this claim as necessitated by the amendment, above.

Regarding claim 21, Applicant states that Musk does not teach the mapping of a location according to the retrieved geographic coordinate (page 17, lines 28-30). The Examiner disagrees, because Musk discloses the transmission of a map from a server to a user as a result of a search request by the user to the server. The map is encoded with text by the server, using five words of 32 bits, with latitude and longitude—*mapping the geographic location according to said absolute geographic coordinates* -- related to a location on the map (col. 1, lines 30-57, col.2, lines 45-67, and col.3, lines 27-45). In other words, the encoded coordinates are retrieved from the encoded information *–retrieving absolute coordinates from tag*--and displayed along with an icon at a location in the map.

Claims 25, and 32 are rejected at least based on the rationale set forth for claim 1 above.

Claim 22 is rejected at least based on the rationale set forth for claim 1 above.

Regarding claim 24, Applicant states that Nagai's URL is with respect to the selected object, and not with respect with the document (page 19, lines 20-27). The Examiner disagrees, because Nagai teaches that when a user makes a selection of the object graphical

representation—*icon*--, such as "Company X", located at position on a map displayed on a screen, a URL, associated with—*pointed to by*-- the object's representation, and having the latitude and longitude, and a network address—http://www.honda.service.cp.jp-- of the object. After the user has selected the object's representation, the URL is retrieved, and transmitted for the retrieval of that object's web page or document(col. 6, lines 54-67, fig.2-3).). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combine Musk and Nagai, because Nagai discloses the benefit of easily obtaining guide information on a desired object on a map (col.1, lines 50-67).

Conclusion

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Black et al (Pat. # 6,735,585).

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-4128. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.

Any response to this Action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

- **(703) 703-872-9306,** (for **all** Formal communications intended for entry)

CESAR PAULA
PRIMARY EXAMINER

3/2/05